

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILLIAM KITCHEN,

Plaintiff,

-against-

NEW YORK CITY HOUSING AUTHORITY;
WELLS FARGO BANK; NEW YORK CITY
POLICE DEPARTMENT; FORMER MAYOR
BILL DE BLASIO,

Defendants.

23-CV-2759 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff William Kitchen brings this action *pro se*. Because Plaintiff filed the complaint without a signature, by order dated April 5, 2023, the Court directed him to resubmit the signature page of the complaint with an original signature within 30 days of the date of that order. (ECF 3.) The order also stated that if Plaintiff failed to comply within the time allowed the Court would dismiss the action. Because Plaintiff did not refile the complaint with an original signature, by order dated May 23, 2023, the Court dismissed the action without prejudice. (ECF 4.) Judgment was entered on the same day. (ECF 5.)

On June 12, 2023, Plaintiff filed a submission using the Court's procedures for email filing for *pro se* litigants in which he states that his mail is being tampered with and that he has not received any documents since April. (ECF 6.) Plaintiff asks the Court to use his P.O. Box, which he provided to the court and which is currently listed as his address of record on the docket.

The Clerk of Court is directed to mail a copy of the Court's May 23, 2023, order directing Plaintiff to provide an original signature (ECF 3), along with the signature page (ECF 3-1), to Plaintiff at his address of record. If Plaintiff complies with the May 23, 2023, order within 30

days of the date of this order, the Court will reopen the action for further proceedings. If Plaintiff fails to comply with that order within 30 days, the action will remain closed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: June 15, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge